

Exhibit H

DECLARATION OF LAURENCE M. SMITH

Pursuant to 28 U.S.C. § 1746, I, Laurence M. Smith, hereby declare as follows:

1. I have personal knowledge of the matters in this declaration and this is what I would testify to if called as a witness in Court.
2. I am 78 years old and am otherwise competent to testify.
3. I am a resident of Montgomery County (PA. Legislative District 151) and have lived at the same address in Dresher, Pennsylvania for 28 years.
4. I am presently retired. I spent my career as an entrepreneur in the medical services industry. In 1977, I founded a company that provides portable X-rays and EKGs in nursing homes.
5. I am registered to vote in Montgomery County and have voted there since moving to Pennsylvania in 1991. Prior to that, I lived in Massachusetts, where I also voted in every election.
6. I vote in every election—both the general and the primary—because I believe it is my civic duty. Voting has been especially important to me in recent years because of the increasing polarization in our country.
7. I started voting by mail in 2020, as soon as it became available in Pennsylvania. I decided to vote by mail-in ballot because I thought it was a convenient and secure way to vote. My wife and I both have busy schedules and appreciate the convenience of filling out the ballot and putting it in the mailbox.

8. Voting is important to me because I believe that it is part of what you do as an American citizen. I have voted in every election since I became eligible to vote, regardless of who was running for office. In recent years, I have voted for the Democratic ticket, but earlier in my life, I voted for both Democrats and Republicans. My family considers it our civic responsibility to pay attention to the news and to vote to elect our local and national representatives.

9. I voted by mail this year. I requested and received a mail ballot from Montgomery County several weeks before the November 2022 election. When I received the ballot packet, I immediately filled it out and mailed it back. I remember putting my ballot in the secrecy envelope and then in the outer envelope. I filled out the outer envelope and thought I had followed all instructions correctly.

10. On October 18, 2022, I received an email from the government that indicated that my ballot had been timely received by Montgomery County. The email read, "Your ballot status has been updated to reflect your official ballot has been received timely and recorded." After receiving this email, I never considered the possibility that anything was wrong with my ballot. A true and correct copy of the October 18 email I received is attached as Exhibit A.

11. On Friday, November 4, 2022, my wife, Dina Lichtman Smith, received an email that there was something wrong with her ballot. The email provided instructions on how she could fix the issue.

12. On Monday, November 7, 2022—the day before Election Day—I accompanied my wife to the County seat in Norristown, Pennsylvania. The officials pulled up my wife's ballot, and she was able to resolve the problem. The process was

very efficient and professional.

13. The officials said, "You're Laurence Smith," but did not say anything about my ballot, nor do I know whether they pulled up my ballot.

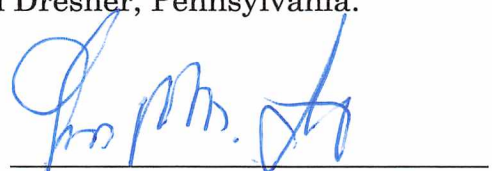
14. I had no indication or information that there was any problem with the date on my ballot until I received a call from someone at the ACLU of Pennsylvania after Election Day. If I had known there was a problem, I obviously would have fixed it when I went to Norristown with my wife. I relied on the October 18 email stating that my ballot was accepted, and the fact that I had not received any additional communication from the County saying there was a problem with my ballot.

15. I was frustrated to learn that there was a problem with my mail-in ballot, because I am a careful and detail-oriented person. I read the instructions carefully and thought that I was following all the proper steps. I have no idea what the County found to be wrong in terms of the date or signature on the envelope.

On an emotional level, I am upset to learn that my ballot will not count. Even though one vote may not make a difference, it's about the principle. I cannot think of any possible reason why my ballot, which arrived before November 8th, should not be counted due to a small clerical error with the date on the outside envelope.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 16th of November, 2022 in Dresher, Pennsylvania.

A handwritten signature in blue ink, appearing to read "Laurence M. Smith", is written over a horizontal line.

Laurence M. Smith

Exhibit A



Larry Smith

to me ▼

Nov 13, 2022, 3:15 PM (3 days ago)



Begin forwarded message:

From: Dina Lichtman <dinalichtman@gmail.com>
Subject: Fwd: Your Ballot Has Been Received
Date: November 9, 2022 at 6:11:11 PM EST
To: Dina Lichtman <dinalichtman@gmail.com>, Larry Gmail <laurencemsmith@gmail.com>

Begin forwarded message:

From: <RA-voterregstatcert@state.pa.us>
Subject: Your Ballot Has Been Received
Date: October 18, 2022 at 5:31:48 PM EDT
To: <LAURENCESMITH@GMAIL.COM>

Dear LAURENCE MARK SMITH,

Your ballot has been received by MONTGOMERY County on 10/18/2022.

Your ballot status has been updated to reflect your official ballot has been received timely and recorded.

Please note: You are no longer permitted to vote at your polling place location now that you have returned your ballot timely.

If you have questions about your ballot, please contact MONTGOMERY County at (610) 278-3280.

Thank you

****Please do not reply to this email.****